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Attorneys for WELLS FARGO BANK, N.A., as
successor by merger with Wells Fargo Bank
Southwest, N.A., f/k/a Wachovia Mortgage,
FSB, f/k/a/ World Savings Bank, FSB

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

In re
LAURA A. GENS,
Debtor.

Case No.: 15-53562-SLJ

Chapter 11

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF:**

- (1) WELLS FARGO’S OPPOSITION TO
DEBTOR’S OBJECTIONS TO CLAIM
NO. 5 AND CLAIM NO. 6; AND**
- (2) WELLS FARGO’S SUPPLEMENTAL
OPPOSITION TO DEBTOR’S
OBJECTION TO CLAIM NO. 6
(REGARDING ATTORNEY’S FEES
AND COSTS)**

Date: August 11, 2016
Time: 10:00 a.m.
Crtrm: 3099
280 South First Street
San Jose, California 95113

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**TO THE HONORABLE STEPHEN L. JOHNSON, UNITED STATES BANKRUPTCY
JUDGE; OFFICE OF THE UNITED STATES TRUSTEE; AND THE DEBTOR AND
HER COUNSEL OF RECORD:**

Pursuant to Rule 201(b)(2) of the Federal Rules of Evidence, Wells Fargo Bank, N.A., as successor by merger with Wells Fargo Bank Southwest, N.A., formerly known as Wachovia Mortgage, FSB, which was formerly known as World Savings Bank, FSB (“Wells Fargo”), respectfully requests that the Court take judicial notice of the following documents submitted in support of *Wells Fargo’s Opposition to Debtor’s Objections to Claim No. 5 and Claim No. 6* and *Wells Fargo’s Supplemental Opposition to Debtor’s Objection to Claim No. 6 (Regarding Attorney’s Fees and Costs)*:

CORPORATE FORMATION DOCUMENTS

1. *Certification of a Federal Savings Association Title Change* dated January 7, 2013, from the Office of the Comptroller of the Currency stating that effective December 31, 2007, World Savings Bank, FSB, changed its name to Wachovia Mortgage, FSB, a true and correct copy of which is attached hereto as **Exhibit 1**;

2. Letter dated November 19, 2007, from the Office of Thrift Supervision stating that effective December 31, 2007, World Savings Bank, FSB, changed its name to Wachovia Mortgage, FSB, a true and correct copy of which is attached hereto as **Exhibit 2**;

3. *Certificate of Authenticity* dated January 7, 2013, and attached letter dated November 1, 2009, from the Office of the Comptroller of the Currency stating that effective November 1, 2009, Wachovia Mortgage, FSB, converted to Wells Fargo Bank Southwest, N.A., which then merged with and into Wells Fargo Bank, N.A., a true and correct copy of which is attached hereto as **Exhibit 3**;

RECORDED DOCUMENTS

4. *Notice of Default and Election to Sell Under Deed of Trust*, recorded with the Santa Clara County Recorder’s Office on August 23, 2007, as Document No. 19561458, a true and correct copy of which is attached hereto as **Exhibit 4**;

5. *Notice of Rescission of Notice of Default*, recorded with the Santa Clara County

Recorder's Office on December 10, 2007, as Document No. 19677124, a true and correct copy of which is attached hereto as **Exhibit 5**;

6. *Notice of Default and Election to Sell Under Deed of Trust*, recorded with the Santa Clara County Recorder's Office on April 24, 2008, as Document No. 19825757, a true and correct copy of which is attached hereto as **Exhibit 6**;

7. *Notice of Trustee's Sale*, recorded with the Santa Clara County Recorder's Office on November 4, 2008, as Document No. 20036479, a true and correct copy of which is attached hereto as **Exhibit 7**;

8. *Notice of Trustee's Sale*, recorded with the Santa Clara County Recorder's Office on February 19, 2010, as Document No. 20615629, a true and correct copy of which is attached hereto as **Exhibit 8**;

9. *Notice of Trustee's Sale*, recorded with the Santa Clara County Recorder's Office on July 11, 2012, as Document No. 21743490, a true and correct copy of which is attached hereto as **Exhibit 9**;

DOCUMENTS FROM FIRST CIVIL CASE (STATE COURT)

10. Printout of the docket from the Superior Court of the State of California, County of Santa Clara for *Laura Gens v. Wachovia Mortgage Corporation, et. al.*, Case No. 2010-1-CV-164932, a true and correct copy of which is attached hereto as **Exhibit 10**;

11. *Complaint for Injunction, Accounting, and Violation of Truth in Lending Laws Regulation Z*, filed with the Superior Court of the State of California, County of Santa Clara on February 26, 2010, Case No. 1-10-CV-164932, a true and correct copy of which is attached hereto as **Exhibit 11**;

12. *Summons and First Amended Complaint for Declaratory Relief, Breach of Contract, Breach of Implied Covenant of Good Faith, Breach of Fiduciary Duty; Fraud; Rescission [sic]; Unconscionability; Violations of Truth in Lending Act, Real Estate Settlement Procedures Act, California Business and Professions Code, California Civil Code, Federal Trade Commission Act, Consumer Credit Reporting Agencies Act*, filed with the Superior Court of the State of California, County of Santa Clara on March 4, 2010, Case No. 1-10-CV-164932, a

true and correct copy of which is attached hereto as **Exhibit 12**;

DOCUMENTS FROM FIRST CIVIL CASE (FEDERAL COURT)

13. Printout of the docket from the United States District Court, Northern District of California, San Jose Division for *Laura Ann Gens v. Wachovia Mortgage Corporation, et. al.*, Case No. 5:10-cv-01073, a true and correct copy of which is attached hereto as **Exhibit 13**;

14. *Notice of Ex Parte Application for Order to Show Cause and Temporary Restraining Order Under FRCP 65*, filed with the United States District Court, Northern District of California, San Jose Division on March 18, 2010, Case No. 5:10-cv-01073, ECF No. 5, a true and correct copy of which is attached hereto as **Exhibit 14**;

15. *Defendant Wachovia's and Golden West's Memorandum of Points and Authorities in Support of Their Motion to Dismiss the First Amended Complaint*, filed with the United States District Court, Northern District of California, San Jose Division on March 25, 2010, Case No. 5:10-cv-01073, ECF No. 21-1, a true and correct copy of which is attached hereto as **Exhibit 15**;

16. *Second Amended Complaint for Declaratory Relief of Permanent Injunction; Action to Quiet Title; Breach of Contract; Breach of Implied Covenant of Good Faith; Breach of Fiduciary Duty; Fraud; Rescission [sic]; Unconscionability; Violations of Truth in Lending Act, Real Estate Settlement Procedures Act, Home Ownership Equity Protection Act, California Business and Professions Code, California Civil Code, Federal Trade Commission Act, Consumer Credit Reporting Agencies Act, Fair Debt Collection Practices Act*, filed with the United States District Court, Northern District of California, San Jose Division on March 25, 2010, Case No. 5:10-cv-01073, ECF No. 25, a true and correct copy of which is attached hereto as **Exhibit 16**;

17. *Defendants' Notice of Motion and Motion to Dismiss Plaintiff's Second Amended Complaint*, filed with the United States District Court, Northern District of California, San Jose Division on June 28, 2010, Case No. 5:10-cv-01073, ECF No. 49, a true and correct copy of which is attached hereto as **Exhibit 17**;

18. *Order Granting Defendants' Motion to Dismiss in Part with Prejudice and in*

Part with Leave to Amend; and Denying Defendants' Motion to Strike as Moot, entered by the United States District Court, Northern District of California, San Jose Division on January 3, 2011, Case No. 5:10-cv-01073, ECF No. 64, a true and correct copy of which is attached hereto as **Exhibit 18**;

19. *Third Amended Complaint for Recission [sic]; Violations of Truth in Lending Act, Real Estate Settlement Procedures Act, Home Ownership Equity Protection Act, Consumer Credit Reporting Agencies Act, Fair Debt Collection Practices Act*, filed with the United States District Court, Northern District of California, San Jose Division on February 2, 2011, Case No. 5:10-cv-01073, ECF No. 65, a true and correct copy of which is attached hereto as **Exhibit 19**;

20. *Defendants' Notice of Motion and Motion to Dismiss Plaintiff's Third Amended Complaint*, filed with the United States District Court, Northern District of California, San Jose Division on February 16, 2011, Case No. 5:10-cv-01073, ECF No. 66, a true and correct copy of which is attached hereto as **Exhibit 20**;

21. *Order Granting Defendants' Motion to Dismiss with Prejudice and Denying Defendants' Motion to Strike as Moot*, entered by the United States District Court, Northern District of California, San Jose Division on May 10, 2011, Case No. 5:10-cv-01073, ECF No. 72, a true and correct copy of which is attached hereto as **Exhibit 21**;

22. *Defendant Wachovia's Notice of Motion and Motion for Attorneys' Fees*, filed with the United States District Court, Northern District of California, San Jose Division on May 24, 2011, Case No. 5:10-cv-01073, ECF No. 73, a true and correct copy of which is attached hereto as **Exhibit 22**;

23. *Declaration of Mark T. Flewelling in Support of Defendant Wachovia's Motion for Award of Attorneys' Fees*, filed with the United States District Court, Northern District of California, San Jose Division on May 24, 2011, Case No. 5:10-cv-01073, ECF No. 74, a true and correct copy of which is attached hereto as **Exhibit 23**;

24. *Order Granting in Part and Denying in Part Defendants' Motion for Attorney Fees*, entered by the United States District Court, Northern District of California, San Jose

Division on August 30, 2011, Case No. 5:10-cv-01073, ECF No. 87, a true and correct copy of which is attached hereto as **Exhibit 24**;

25. *Defendant Wells Fargo's Notice of Motion and Motion for the Award of Pre-Bankruptcy Petition Attorneys' Fees*, filed with the United States District Court, Northern District of California, San Jose Division on July 26, 2012, Case No. 5:10-cv-01073, ECF No. 89, a true and correct copy of which is attached hereto as **Exhibit 25**;

26. *Declaration of Mark T. Flewelling in Support of Defendant Wells Fargo's Motion for the Award of Pre-Bankruptcy Petition Attorneys' Fees*, filed with the United States District Court, Northern District of California, San Jose Division on July 26, 2012, Case No. 5:10-cv-01073, ECF No. 89-1, a true and correct copy of which is attached hereto as **Exhibit 26**;

27. *Order Denying Defendants' Motion for Award of Pre-Bankruptcy Attorney's Fees Without Prejudice*, entered by the United States District Court, Northern District of California, San Jose Division on February 5, 2013, Case No. 5:10-cv-01073, ECF No. 104, a true and correct copy of which is attached hereto as **Exhibit 27**;

DOCUMENTS FROM FIRST BANKRUPTCY CASE

28. Printout of the docket from the United States Bankruptcy Court, Northern District of California, San Jose Division for *In re Laura Anna Gens*, Case No. 10-bk-55305, a true and correct copy of which is attached hereto as **Exhibit 28**;

29. *Proof of Claim 2-1*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on September 27, 2010, Case No. 10-bk-55305, a true and correct copy of which is attached hereto as **Exhibit 29**;

30. *Proof of Claim 2-2*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on July 15, 2011, Case No. 10-bk-55305, a true and correct copy of which is attached hereto as **Exhibit 30**;

31. *Objection to Claim*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on July 20, 2011, Case No. 10-bk-55305, ECF No. 98, a true and correct copy of which is attached hereto as **Exhibit 31**;

32. *Ex Parte Motion by Creditor Wells Fargo for an Order Directing Examination*

1 *and Production of Documents Pursuant to Fed. R. Bankruptcy Procedure Rule 2004*, filed with
2 the United States Bankruptcy Court, Northern District of California, San Jose Division on
3 July 29, 2011, Case No. 10-bk-55305, ECF No. 112, a true and correct copy of which is attached
4 hereto as **Exhibit 32**;

5 33. *Memorandum of Points and Authorities in Support of Motion for Sanctions and to*
6 *Find Debtor in Civil Contempt for Willful Refusal to Comply with Court Order Requiring*
7 *Debtor's Attendance at Rule 2004 Examination; and for Further Order Setting Examination and*
8 *Production of Documents*, filed with the United States Bankruptcy Court, Northern District of
9 California, San Jose Division on October 25, 2011, Case No. 10-bk-55305, ECF No. 128-1, a
10 true and correct copy of which is attached hereto as **Exhibit 33**;

11 34. *Order*, entered by the United States Bankruptcy Court, Northern District of
12 California, San Jose Division on December 12, 2011, Case No. 10-bk-55305, ECF No. 136, a
13 true and correct copy of which is attached hereto as **Exhibit 34**;

14 35. *Debtor's Plan of Reorganization Dated December 20, 2011*, filed with the United
15 States Bankruptcy Court, Northern District of California, San Jose Division on
16 December 20, 2011, Case No. 10-bk-55305, ECF No. 141, a true and correct copy of which is
17 attached hereto as **Exhibit 35**;

18 36. *Wells Fargo's Objection to Debtor's Disclosure Statement*, filed with the United
19 States Bankruptcy Court, Northern District of California, San Jose Division on February 9, 2012,
20 Case No. 10-bk-55305, ECF No. 148, a true and correct copy of which is attached hereto as
21 **Exhibit 36**;

22 37. *Order Following Chapter 11 Disclosure Statement Hearing and the United States*
23 *Trustee's Motion to Convert*, entered by the United States Bankruptcy Court, Northern District
24 of California, San Jose Division on February 29, 2012, Case No. 10-bk-55305, ECF No. 156, a
25 true and correct copy of which is attached hereto as **Exhibit 37**;

26 38. *Combined Plan of Reorganization and Disclosure Statement [Dated]*
27 *March 16, 2012*, filed with the United States Bankruptcy Court, Northern District of California,
28 San Jose Division on March 16, 2012, Case No. 10-bk-55305, ECF No. 169, a true and correct

copy of which is attached hereto as **Exhibit 38**;

39. *Wells Fargo's Objection to Debtor's Combined Disclosure Statement and Plan of Reorganization and Joinder to Objections Filed by the U.S. Trustee and Creditor Colonial Savings, F.A.*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on April 19, 2012, Case No. 10-bk-55305, ECF No. 176, a true and correct copy of which is attached hereto as **Exhibit 39**;

DOCUMENTS FROM THE APPEAL

40. Printout of the docket from the United States Court of Appeals for the Ninth Circuit for *Laura Gens v. Wachovia Mortgage, FSB, et al.*, Case No. 11-16476, a true and correct copy of which is attached hereto as **Exhibit 40**;

41. *Memorandum*, entered by the United States Court of Appeals for the Ninth Circuit on January 3, 2013, Case No. 11-16476, ECF No. 26-1, a true and correct copy of which is attached hereto as **Exhibit 41**;

DOCUMENTS FROM THE SECOND BANKRUPTCY CASE

42. Printout of the docket from the United States Bankruptcy Court, Northern District of California, San Jose Division for *In re Laura Ann Gens*, Case No. 12-bk-56055, a true and correct copy of which is attached hereto as **Exhibit 42**;

DOCUMENTS FROM SECOND CIVIL CASE (STATE COURT)

43. Printout of the docket from the Superior Court of the State of California, County of Santa Clara for *Laura Gens v. Cal-Western Reconveyance Corporation, et al.*, Case No. 2012-1-CV-234832, a true and correct copy of which is attached hereto as **Exhibit 43**;

44. *Complaint for Injunction, Accounting, and Violation of California Code*, filed with the Superior Court of the State of California, County of Santa Clara on October 24, 2012, Case No. 1-12-CV-234832, a true and correct copy of which is attached hereto as **Exhibit 44**;

DOCUMENTS FROM SECOND CIVIL CASE (FEDERAL COURT)

45. Printout of the docket from the United States District Court, Northern District of California, San Jose Division for *Laura Ann Gens v. Cal-Western Reconveyance Corporation, et al.*, Case No. 5:12-cv-05947, a true and correct copy of which is attached hereto as **Exhibit 45**;

46. *Defendant Wells Fargo's Notice of Motion to Dismiss and Memorandum of Points and Authorities in Support of Motion to Dismiss*, filed with the United States District Court, Northern District of California, San Jose Division on December 11, 2012, Case No. 5:12-cv-05947, ECF No. 10, a true and correct copy of which is attached hereto as **Exhibit 46**;

DOCUMENTS FROM THIRD BANKRUPTCY CASE

47. Printout of the docket from the United States Bankruptcy Court, Northern District of California, San Jose Division for *In re Laura Gens*, Case No. 13-bk-50106, a true and correct copy of which is attached hereto as **Exhibit 47**;

48. *Further Motion to Extend the Automatic Stay*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on November 6, 2013, Case No. 13-bk-50106, ECF No. 107, a true and correct copy of which is attached hereto as **Exhibit 48**;

49. *Creditor Wells Fargo's Opposition to Debtor's Motion to Further Extend Automatic Stay*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on November 22, 2013, Case No. 13-bk-50106, ECF No. 112, a true and correct copy of which is attached hereto as **Exhibit 49**;

50. *Proof of Claim No. 3-1*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on April 30, 2013, Case No. 13-bk-50106, a true and correct copy of which is attached hereto as **Exhibit 50**;

51. *Objection to Claim*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on November 25, 2013, Case No. 13-bk-50106, ECF No. 116, a true and correct copy of which is attached hereto as **Exhibit 51**;

52. *Creditor Wells Fargo's Response to Debtor's Objection to Claim*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on December 16, 2013, Case No. 13-bk-50106, ECF No. 119, a true and correct copy of which is attached hereto as **Exhibit 52**;

53. *Proposed Combined Plan of Reorganization and Disclosure Statement [Dated] January 13, 2014*, filed with the United States Bankruptcy Court, Northern District of California,

San Jose Division on January 13, 2014, Case No. 13-bk-50106, ECF No. 129, a true and correct copy of which is attached hereto as **Exhibit 53**;

54. *Creditor Wells Fargo's Objections to Debtor's Combined Plan of Reorganization and Disclosure Statement, Filed January 13, 2014*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on February 13, 2014, Case No. 13-bk-50106, ECF No. 134, a true and correct copy of which is attached hereto as **Exhibit 54**;

55. *Proposed Creditor's Combined Plan of Reorganization and Disclosure Statement [Dated] February 28, 2014*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on February 28, 2014, Case No. 13-bk-50106, ECF No. 142, a true and correct copy of which is attached hereto as **Exhibit 55**;

56. *Joint Prehearing Conference Statement*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on May 16, 2014, Case No. 13-bk-50106, ECF No. 159, a true and correct copy of which is attached hereto as **Exhibit 56**;

57. *Proposed Creditor's Amended Combined Plan of Reorganization and Disclosure Statement [Dated] June 23, 2014*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on June 23, 2014, Case No. 13-bk-50106, ECF No. 163, a true and correct copy of which is attached hereto as **Exhibit 57**;

58. *Stipulation to Extend the Automatic Stay and Continue Hearings on Debtor's Claim Objection and Disclosure Statements*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on October 10, 2014, Case No. 13-bk-50106, ECF No. 175, a true and correct copy of which is attached hereto as **Exhibit 58**;

59. *Declaration of Kimberly Ann Mueggenberg in Support of Wells Fargo's Request to Terminate the Stay*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on April 3, 2015, Case No. 13-bk-50106, ECF No. 192, a true and correct copy of which is attached hereto as **Exhibit 59**;

60. *Declaration of Dean G. Rallis Jr. in Support of Wells Fargo's Request to Terminate the Stay Per This Court's October 24, 2014 Order*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on April 3, 2015, Case

No. 13-bk-50106, ECF No. 193, a true and correct copy of which is attached hereto as

Exhibit 60;

61. *Order Regarding Wells Fargo Bank, N.A's [sic] Request to Terminate the Automatic Stay Pursuant to an October 24, 2014 Court Order*, entered by the United States Bankruptcy Court, Northern District of California, San Jose Division on April 20, 2015, Case No. 13-bk-50106, ECF No. 200, a true and correct copy of which is attached hereto as

Exhibit 61;

62. *Declaration of Debtor in 100% Compliance with the Court's Orders of October 24, 2014 and April 20, 2015*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on April 22, 2015, Case No. 13-bk-50106, ECF No. 201, a true and correct copy of which is attached hereto as **Exhibit 62;**

63. *Statement of Wells Fargo: (1) in Further Support of Wells Fargo's Request to Terminate the Stay Based on Debtor's Failure to Comply with This Court's Order of April 20, 2015; and (2) in Response to Debtor's Declaration re Compliance with Orders*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on April 23, 2015, Case No. 13-bk-50106, ECF No. 202, a true and correct copy of which is attached hereto as **Exhibit 63;**

64. *Amended Supplemental Order Regarding Wells Fargo Bank, N.A's [sic] Request to Terminate the Automatic Stay Pursuant to an October 24, 2014 Court Order*, entered by the United States Bankruptcy Court, Northern District of California, San Jose Division on May 1, 2015, Case No. 13-bk-50106, ECF No. 209, a true and correct copy of which is attached hereto as **Exhibit 64;**

65. *Memorandum on Motion to Dismiss*, entered by the United States Bankruptcy Court, Northern District of California, San Jose Division on July 24, 2015, Case No. 13-bk-50106, ECF No. 226, a true and correct copy of which is attached hereto as **Exhibit 65;**

66. *Order Dismissing Case Effective August 24, 2015 and Shortening Time to File Related Relief*, entered by the United States Bankruptcy Court, Northern District of California, San Jose Division on July 29, 2015, Case No. 13-bk-50106, ECF No. 228, a true and correct

copy of which is attached hereto as **Exhibit 66**;

67. *Motion for Reconsideration of the July 29, 2015 Order Dismissing Case*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on August 12, 2015, Case No. 13-bk-50106, ECF No. 240, a true and correct copy of which is attached hereto as **Exhibit 67**;

DOCUMENTS FROM ADVERSARY PROCEEDING

68. Printout of the docket from the United States Bankruptcy Court, Northern District of California, San Jose Division for *Laura Gens v. Wells Fargo, et al.*, Adv. No. 13-ap-05007, a true and correct copy of which is attached hereto as **Exhibit 68**;

69. *Complaint for Injunction, Accounting, and Violation of California Code*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on January 28, 2013, Adv. No. 13-ap-05007, ECF No. 1, a true and correct copy of which is attached hereto as **Exhibit 69**; and

70. *Defendant Wells Fargo's Notice of Motion to Dismiss and Memorandum of Points and Authorities in Support of Motion to Dismiss*, filed with the United States Bankruptcy Court, Northern District of California, San Jose Division on February 28, 2013, Adv. No. 13-ap-05007, ECF No. 8, a true and correct copy of which is attached hereto as **Exhibit 70**.

GROUND FOR JUDICIAL NOTICE

The grounds for judicial notice of **Exhibits 1 through 3** are that these documents are true and correct copies of documents reflecting official acts or records of the executive departments of the United States. See Hite v. Wachovia Mortg., Case No. 2:09-cv-02884-GEB-GGH, 2010 U.S. Dist. LEXIS 57732, at *6–8 (E.D. Cal. June 10, 2010) (taking judicial notice of similar documents).

The grounds for judicial notice of **Exhibits 4 through 9** are that these documents are true and correct copies of official public records of the Santa Clara County Recorder's Office, whose authenticity is capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. See Fed. R. Evid. 201(b); Velasquez v. GMAC Mortg. Corp., 605 F. Supp. 2d 1049, 1058 (C.D. Cal. 2008).

The grounds for judicial notice of **Exhibits 10 through 12 and 43 through 44** are that these documents are true and correct copies of official public records of the Superior Court of the State of California, County of Santa Clara, whose authenticity is capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. See Fed. R. Evid. 201(b).

The grounds for judicial notice of **Exhibits 13 through 27 and 45 through 46** are that these documents are true and correct copies of official public records of the United States District Court, Northern District of California, whose authenticity is capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. See Fed. R. Evid. 201(b).

The grounds for judicial notice of **Exhibits 28 through 39, 42, and 47 through 70** are that these documents are true and correct copies of official public records of the United States Bankruptcy Court, Northern District of California, whose authenticity is capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. See Fed. R. Evid. 201(b).

The grounds for judicial notice of **Exhibits 40 through 41** are that these documents are true and correct copies of official public records of the United States Court of Appeals for the Ninth Circuit, whose authenticity is capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. See Fed. R. Evid. 201(b).

Respectfully submitted,

Dated: July 28, 2016

ANGLIN, FLEWELLING, RASMUSSEN,
CAMPBELL & TRYTTEN LLP

By: /s/ Dean G. Rallis Jr.
Dean G. Rallis Jr.
drallis@afrc.com

Attorneys for WELLS FARGO BANK, N.A., as
successor by merger with Wells Fargo Bank
Southwest, N.A., f/k/a Wachovia Mortgage, FSB,
f/k/a World Savings Bank, FSB

EXHIBITS

TABLE OF CONTENTS

Corporate Formation Documents

<u>Exhibit 1</u> : Certification of a Federal Savings Association Title Change	14
<u>Exhibit 2</u> : Letter from Office of Thrift Supervision	15
<u>Exhibit 3</u> : Certificate of Authenticity	16–17

Recorded Documents

<u>Exhibit 4</u> : First Notice of Default	18–19
<u>Exhibit 5</u> : Notice of Rescission.....	20
<u>Exhibit 6</u> : Second Notice of Default.....	21–22
<u>Exhibit 7</u> : First Notice of Trustee’s Sale.....	23–24
<u>Exhibit 8</u> : Second Notice of Trustee’s Sale	25–26
<u>Exhibit 9</u> : Third Notice of Trustee’s Sale.....	27–29

Documents from First Civil Case (State Court)

<u>Exhibit 10</u> : Docket Printout	30–32
<u>Exhibit 11</u> : Debtor’s Complaint.....	33–37
<u>Exhibit 12</u> : Debtor’s First Amended Complaint.....	38–58

Documents from First Civil Case (Federal Court)

<u>Exhibit 13</u> : Docket Printout	59–74
<u>Exhibit 14</u> : Debtor’s Ex Parte Application for Temporary Restraining Order	75–77
<u>Exhibit 15</u> : Wells Fargo’s Motion to Dismiss First Amended Complaint.....	78–107
<u>Exhibit 16</u> : Debtor’s Second Amended Complaint	108–142
<u>Exhibit 17</u> : Wells Fargo’s Motion to Dismiss Second Amended Complaint	143–176
<u>Exhibit 18</u> : Order Granting Wells Fargo’s Motion to Dismiss in Part with Prejudice	177–190
<u>Exhibit 19</u> : Debtor’s Third Amended Complaint	191–206
<u>Exhibit 20</u> : Wells Fargo’s Motion to Dismiss Third Amended Complaint.....	207–225
<u>Exhibit 21</u> : Order Granting Wells Fargo’s Motion to Dismiss with Prejudice.....	226–238

1	<u>Exhibit 22</u> : Wells Fargo’s First Motion for Attorneys’ Fees.....	239–255
2	<u>Exhibit 23</u> : Declaration of Mark T. Flewelling in Support of Wells Fargo’s First Motion	
3	for Attorneys’ Fees	256–310
4	<u>Exhibit 24</u> : Order Granting Wells Fargo’s First Motion for Attorneys’ Fees in Part.....	311–318
5	<u>Exhibit 25</u> : Wells Fargo’s Second Motion for Attorneys’ Fees	319–347
6	<u>Exhibit 26</u> : Declaration of Mark T. Flewelling in Support of Wells Fargo’s Second	
7	Motion for Attorneys’ Fees.....	348–393
8	<u>Exhibit 27</u> : Order Denying Wells Fargo’s Second Motion for Attorneys’ Fees Without	
9	Prejudice	394–395
10	<u>Documents from First Bankruptcy Case</u>	
11	<u>Exhibit 28</u> : Docket Printout	396–425
12	<u>Exhibit 29</u> : Wells Fargo’s Proof of Claim No. 2-1	426–462
13	<u>Exhibit 30</u> : Wells Fargo’s Proof of Claim No. 2-2.....	463–499
14	<u>Exhibit 31</u> : Debtor’s Objection to Wells Fargo’s Claim	500–507
15	<u>Exhibit 32</u> : Wells Fargo’s Ex Parte Application for Rule 2004 Examination and	
16	Production	508–515
17	<u>Exhibit 33</u> : Memorandum of Points and Authorities in Support of Wells Fargo’s Motion	
18	for Civil Contempt Sanctions.....	516–521
19	<u>Exhibit 34</u> : Order Regarding Wells Fargo’s Motion for Civil Contempt Sanctions	522–523
20	<u>Exhibit 35</u> : Debtor’s Plan of Reorganization Dated December 20, 2011	524–542
21	<u>Exhibit 36</u> : Wells Fargo’s Objection to Debtor’s Disclosure Statement	543–547
22	<u>Exhibit 37</u> : Order Following Hearing on Debtor’s Disclosure Statement and United	
23	States Trustee’s Motion to Convert	548–550
24	<u>Exhibit 38</u> : Debtor’s Combined Plan of Reorganization and Disclosure Statement Dated	
25	March 16, 2012	551–571
26	<u>Exhibit 39</u> : Wells Fargo’s Objection to Debtor’s Disclosure Statement	572–574
27	<u>Documents from the Appeal</u>	
28	<u>Exhibit 40</u> : Docket Printout	575–580

1	<u>Exhibit 41</u> : Memorandum of Decision	581–588
2	<u>Documents from Second Bankruptcy Case</u>	
3	<u>Exhibit 42</u> : Docket Printout	589–595
4	<u>Documents from Second Civil Case (State Court)</u>	
5	<u>Exhibit 43</u> : Docket Printout	596–597
6	<u>Exhibit 44</u> : Debtor’s Complaint.....	598–601
7	<u>Documents from Second Civil Case (Federal Court)</u>	
8	<u>Exhibit 45</u> : Docket Printout	602–609
9	<u>Exhibit 46</u> : Wells Fargo’s Motion to Dismiss Complaint	610–633
10	<u>Documents from Third Bankruptcy Case</u>	
11	<u>Exhibit 47</u> : Docket Printout	634–678
12	<u>Exhibit 48</u> : Debtor’s Motion to Extend the Automatic Stay.....	679–680
13	<u>Exhibit 49</u> : Wells Fargo’s Opposition to Motion to Extend the Automatic Stay	681–691
14	<u>Exhibit 50</u> : Wells Fargo’s Proof of Claim No. 3-1	692–700
15	<u>Exhibit 51</u> : Debtor’s Objection to Wells Fargo’s Claim	701–703
16	<u>Exhibit 52</u> : Wells Fargo’s Response to Objection to Claim	704–714
17	<u>Exhibit 53</u> : Debtor’s Combined Plan of Reorganization and Disclosure Statement Dated	
18	January 13, 2014	715–730
19	<u>Exhibit 54</u> : Wells Fargo’s Objection to Debtor’s Disclosure Statement	731–740
20	<u>Exhibit 55</u> : Wells Fargo’s Combined Plan of Reorganization and Disclosure Statement	
21	Dated February 28, 2014.....	741–762
22	<u>Exhibit 56</u> : Joint Prehearing Conference Statement	763–765
23	<u>Exhibit 57</u> : Wells Fargo’s Amended Combined Plan of Reorganization and Disclosure	
24	Statement Dated June 23, 2014.....	766–789
25	<u>Exhibit 58</u> : Stipulation to Extend the Automatic Stay and Continue Hearings.....	790–796
26	<u>Exhibit 59</u> : Declaration of Kimberly Ann Mueggenberg in Support of Wells Fargo’s	
27	Request to Terminate the Automatic Stay	797–808
28	<u>Exhibit 60</u> : Declaration of Dean G. Rallis Jr. in Support of Wells Fargo’s Request to	

1	Terminate the Automatic Stay	809–850
2	<u>Exhibit 61</u> : Order Regarding Wells Fargo’s Request to Terminate the Automatic Stay	851–854
3	<u>Exhibit 62</u> : Declaration of Laura A. Gens Regarding Compliance with Court’s Orders	855–857
4	<u>Exhibit 63</u> : Wells Fargo’s Statement in Support of Request to Terminate the Automatic	
5	Stay	858–861
6	<u>Exhibit 64</u> : Amended Order Regarding Wells Fargo’s Request to Terminate the	
7	Automatic Stay.....	862–865
8	<u>Exhibit 65</u> : Memorandum of Decision Regarding United States Trustee’s Motion to	
9	Dismiss.....	866–870
10	<u>Exhibit 66</u> : Order Dismissing Bankruptcy Case.....	871
11	<u>Exhibit 67</u> : Debtor’s Motion for Reconsideration	872–885
12	<u>Documents from the Adversary Proceeding</u>	
13	<u>Exhibit 68</u> : Docket Printout	886–890
14	<u>Exhibit 69</u> : Debtor’s Complaint.....	891–895
15	<u>Exhibit 70</u> : Wells Fargo’s Motion to Dismiss Complaint	896–921